

## Message Text

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51

ACTION AF-06

INFO OCT-01 ISO-00 IO-10 EUR-12 SS-15 NSC-05 L-03 CIAE-00

DODE-00 INR-07 NSAE-00 PA-01 USIA-06 PRS-01 SP-02

/069 W

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R 231402Z JUN 75

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC 2125

INFO AMCONSUL CAPE TOWN

AMCONSUL DURBAN

AMEMBASSY GABORONE

AMCONSUL JOHANNESBURG

AMEMBASSY LUSAKA

LIMITED OFFICIAL USE PRETORIA 2296

E.O. 11652: N/A

TAGS: PINS, SF

SUBJ: SASO/BPC TRIAL: TWO RELEASED, CHARGES AGAINST ELEVEN  
TO BE REDRAWN

REF: PRETORIA 2125

1. TRIAL OF THIRTEEN MEMBERS OF SASO/BPC ON CHARGES UNDER  
TERRORISM ACT RECONVENED MORNING JUNE 23. SPEAKING BEFORE  
PRESIDING JUDGE DELIVERED DECISION REGARDING DEFENSE APPLICATION  
TO QUASH INDICTMENT (REFTEL), PROSECUTOR C. REES ANNOUNCED  
THAT STATE HAD DECIDED TO REDRAW CASE AGAINST ELEVEN DEFENDANTS,  
AND TO DROP CHARGES AGAINST TWO.

2. CHARGES DROPPED AGAINST S.A. ISMAIL AND SIVALINGHAM MOODLEY.  
BOTH WERE RELEASED FROM CUSTODY, BUT PROSECUTOR POINTED OUT THAT  
ANOTHER PROVINCE COULD STILL PRESS CHARGES. FYI. THIRTEEN  
ACCUSED WERE BEING TRIED IN THE TRANSVAAL DIVISION OF SUPREME  
COURT. END FYI.

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3. REMAINING ELEVEN DEFENDANTS WILL BE TRIED UNDER THREE

SEPARATE INDICTMENTS. RUBEN HARE AND SADEQUE VARIAVA WILL BE TRIED INDIVIDUALLY, WHILE S. COOPER, J.E.L. MYEZA, M.G.P. LEKOTA, N.V. MKOMO, P.J. NEFOLOVHODWE, G.K. SEDIBE, M.C.A. MOKOAPE, S.R. MOODLEY, AND A.Z. CINDI WILL BE TRIED JOINTLY. PROSECUTOR SAID NEW INDICTMENTS WILL BE READY THIS WEEK, AT WHICH TIME STATE WILL CONFER WITH JUDGE AND DEFENSE TO DISCUSS NEW TRIAL DATES.

4. COMMENT: DEFENSE LAWYERS SAY THEY ARE PLEASED WITH RELEASE OF ISMAIL AND SIV MOODLEY, BUT NOT SURPRISED. STATE CASE AGAINST THESE TWO, THEY FELT, WAS WEAKEST AND MOST CIRCUMSTANTIAL. DEFENSE NOT SURE WHAT IMPACT THREE SEPARATE TRIALS WILL HAVE BUT, INITIALLY AT LEAST, ARE DISTURBED ABOUT INEVITABLE STRETCHING OF RESOURCES.  
BOWDLER

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## Message Attributes

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